

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH DAKOTA  
CENTRAL DIVISION

\*\*\*\*\*

DIANE WADE, an individual,

Plaintiff,

vs.

SANFORD MEDICAL CENTER d/b/a  
SANFORD USD MEDICAL CENTER, a  
South Dakota corporation,

Defendant.

CIV. 16-3034

**DEFENDANT SANFORD  
MEDICAL CENTER'S MOTION  
FOR SUMMARY JUDGMENT**

\*\*\*\*\*

Defendant Sanford Medical Center, by and through its attorneys of record, respectfully requests this Court grant summary judgment in its favor and against Plaintiff Diane Wade, pursuant to Rule 56 of the Federal Rules of Civil Procedure, on the grounds that there is no genuine issue in dispute as to any material fact and that Sanford Medical Center is entitled to judgment as a matter of law.

This Motion is based the pleadings and attachments thereto, the exhibits attached to the Affidavit of Melissa C. Hinton, Defendant Sanford Medical Center's Statement of Undisputed Material Facts, and the accompanying Brief.

Sanford Medical Center, pursuant to D.S.D. Civ. LR 7.1(C), requests oral argument.

Dated at Sioux Falls, South Dakota, this 6<sup>th</sup> day of April, 2018.

EVANS, HAIGH & HINTON, L.L.P.

/s/ *Melissa C. Hinton*

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## CERTIFICATE OF SERVICE

The undersigned, one of the attorneys for Defendant, hereby certifies on the 6<sup>th</sup> day of April, 2018, I caused the following document:

♦ Defendant Sanford Medical Center's Motion for Summary Judgment  
to be filed electronically with the Clerk of Court through ECF, and that ECF will send an e-mail notice of the electronic filing to the following:

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*Attorneys for Plaintiff*

on this 6<sup>th</sup> day of April, 2018.

/s/ Melissa C. Hinton  
Melissa C. Hinton